

money to build a facility that was able to nurse the ferret back into existence. As a result of the State's unilateral efforts we now have several populations of black-footed ferrets spread across several States.

Unfortunately, the ESA has moved beyond its goals of recovery species and had become a tool to control development, to shut down small businesses, and to impose costs—in the form of unfunded mandates—on States, local governments and private individuals.

Then there are those other costs, the ones that can't be put into exact dollar figures but which seem to drain the already limited resources of private land owners. Whether it is the grizzly bear, black-footed ferret, Canada lynx, Preble's meadow jumping mouse, gray wolf, whooping crane, bald eagle, western snowy plover, sage grouse, Wyoming toad, Colorado pikeminnow, razorback sucker, Colorado butterfly plant, or a flower called the Ute Ladies' tresses, Wyoming residents have been forced to invest valuable man hours and personal property to ensure these plants, fish and animals are managed according to national priorities as set by non-resident Federal agencies.

It is only fair that Federal dollars be provided to pay for Federal priorities.

Imagine, as a home owner, that an endangered species is discovered in your yard. What if you were then denied the use of your garden, back yard and driveway, couldn't mow or pull any weeds and were told, oh, yes, you have to change jobs too. You'd be on the phone to your lawyer, your governor, your Senator and the President. And all of them would say, "It's the law and you are not entitled to a dime of compensation." Now how would you feel about the Endangered Species Act?

Granted, a farm or ranch is larger than your garden or back yard, but it is often the sole source of support for some of our Nation's hardworking families—and to have acres taken away and out of use without compensation would appear to violate the Constitution! My bill merely provides for just compensation for this, a Federal priority and mandate.

My bill would guarantee funding for implementing the ESA while requiring the Federal Government to pay for all the costs relating to the establishment of State management plans, monitoring, consultation and administration, surveys, conservation agreements, land acquisitions, losses from predation, losses in value to real or personal property or any other cost imposed for mitigating management of a species covered by the ESA.

When they see the real costs of these regulations and their impact on communities, the American public will, for the first time, realize what it costs to declare a species as endangered. It's one thing to dictate how someone else or another community spends its resources, and it's quite another to face those costs and lost opportunities yourself.

There should be no question in anyone's mind that the Endangered Species

Act is an unfunded mandate. For far too many years states, local governments and individual property owners have borne the brunt of implementing the Federal Endangered Species Act. They stagger beneath the momentous weight of having to pay for the mismanagement and policy decisions of federal bureaucracies.

One of the biggest problems with this statute is that the people forcing implementation have no real perspective on what it does or how it impacts states and local communities. It is very easy for them to sit back in their protected communities, surrounded by granite walls and pavement, and dictate to the West that our herds of cows and flocks of sheep are needed to feed the wolves they transplanted here, or that species preservation is more important than providing jobs for the community and putting food on the table. It's easy for them because they don't have to live with the results of their decisions. It doesn't cost them anything and they have nothing to lose. The only investment most Americans make in the Endangered Species Act is rhetoric.

I love Wyoming and the plants and animals that populate it. I would hate to see anything happen that would change the ability of Wyoming and individuals to continue managing its land with the kind of productivity that we now have.

The reality is, however, that the Endangered Species Act has become more of a hindrance than a help. Not one species has been recovered because of the rules and regulations imposed by this statute. What has had the biggest impact has been the people on the ground who are not allowed to make personal choices on how they manage their own property. If we continue to impose the costs and expenses on local landowners and communities, there will come a day when they are no longer there to make the wise and well informed management decisions that will make a real difference in the future existence of our Nation's endangered species.

I hope my colleagues will consider this bill and the costs it puts on individuals and recognize that the Endangered Species Act is a Federal priority and, as such, it should be a Federal cost, not a personal cost.

I yield the floor.

COMMEMORATING THE 100TH ANNIVERSARY OF THE HISTORIC FRANKLIN HOTEL

Mr. DASCHLE. Mr. President, I would like to congratulate my dear friend Bill Walsh on the 100th anniversary of the Historic Franklin Hotel in Deadwood, SD.

The Franklin Hotel is truly a piece of living history and a jewel of the Black Hills. Throughout the decades, the Franklin has accommodated Presidents and celebrities, including Teddy Roosevelt, William Taft, John Wayne, and the great Babe Ruth. In addition to being a much-celebrated destination

for visitors to the Black Hills, the Franklin has also served as a cornerstone for the community of Deadwood. The Franklin was a source of comfort for city dwellers during the Great Depression, and hosted the first radio broadcast in the State of South Dakota.

Today, the Franklin continues to be a place of celebration, as it accommodates thousands of tourists in the Black Hills each year. From viewing the Days of '76 Parade on the veranda, to celebrating St. Patrick's Day in Durty Nelly's, to a grand New Year's Eve celebration, the Franklin continues to be a source of great entertainment and a place where special memories are made daily.

The Historic Franklin Hotel is a true reminder of our rich Western heritage. Today, on its 100th anniversary, the task of maintaining and preserving this rich cultural treasure rests on the shoulders of Bill Walsh. If founder Harris Franklin were alive today, he would be proud of Bill's dedication to the preservation of this historic landmark. I extend my best wishes to Bill and the Franklin Hotel's Board of Directors, Jo Roebuck Pearson, Mike Trucano, Taffy Tucker, and Orville Bryan.

Congratulations to all of you as you celebrate this extraordinary milestone. We look forward to the next 100 years.

RELEASE OF AUNG SAN SUU KYI

Mr. LUGAR. Mr. President, today I rise to affirm the call from Secretary of State Powell that military leaders in Burma release Aung San Suu Kyi from continued "protective custody."

The reimposition of custody of Daw Aung San Suu Kyi and the denial of requests by United States and other officials to meet with her and assure her good health and well-being are unconscionable. She should be released immediately and unconditionally. In addition to the release of other National League for Democracy leaders who have been arrested, I also call upon the government of Burma to allow the NLD to reopen its offices throughout the country.

The only hope for democracy in Burma will be found in dialogue among the National League for Democracy, the State Peace and Development Council and the ethnic nationalities. The arrest of Aung San Suu Kyi is a major setback to meaningful reform, and raises serious questions about whether the current ruling junta can be trusted to live up to any of its promises. The United States must continue to support Daw Aung San Suu Kyi and the NLD.

I am pleased that the Bush administration, in coordination with the United Nations Security Council and other members of the international community, is "considering all measures available in our efforts to foster this transition to democracy."